

**IN THE CRIMINAL COURT OF TENNESSEE
FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS
DIVISION _____**

STATE OF TENNESSEE

VS. NO: (S) _____

CHARGE(S) _____

DEFENDANT _____

ORDER OF DEFERMENT OF SENTENCE PURSUANT TO T.C.A. § 40-35-313

This cause came on to be heard upon the request of the Defendant to defer sentence, and the record as a whole.

FROM ALL OF WHICH IT IS ORDERED, ADJUDGED AND DECREED that the imposition of the above Defendant's sentence is hereby deferred and Defendant is hereby placed on **JUDICIAL DIVERSION (T.C.A. § 40-35-313)** under the supervision of the Tennessee Division of Probation and its supervisor, such supervision being subject to the provisions of the laws of this State.

IT IS FURTHER ORDERED that the aforesaid Defendant shall comply with the following general and specific conditions of Probation:

1. The Probationer will procure the consent of his/her Probation Officer before changing his/her residence or employment or before leaving the County of his/her residence or the State.
2. The Probationer will make a full and truthful report to his/her probation Officer in person and/or in writing as directed.
3. The Probationer shall not use intoxicants of any kind to excess; or use narcotic drugs; marijuana included; or visit places where intoxicants or drugs are unlawfully sold, dispensed or used.
4. The Probationer shall not associate with persons of ill repute and will not frequent establishments whose prime purpose is the selling of alcoholic beverages.
5. If convicted of a felony, she/he shall not receive, own, possess, ship, or transport any firearm or ammunition. Reference Gun Control Act of 1968, Public Law 90-618 Title 1, Section 922 entitled "Unlawful Acts" all other probationers require express permission of the Court for use of firearms.
6. The Probationer shall report all arrests, including traffic or other citations, regardless of disposition, to his/her Probation Officer.
7. The Probationer shall allow the Probation Officer to visit his/her home, employment site or elsewhere and carry out all instructions given by the Officer, whether oral or in writing.
8. If, at any time, it is necessary to communicate with his/her Probation Officer and she/he is not accessible, the Probationer will direct his/her communications to the District Director or Regional Director.
9. The Probationer shall obtain written permission from his/her Probation Officer before establishing a date for marriage or before contracting major debts.
10. The Probationer shall obey the Laws of the United States or any State in which she/he may be as well as any municipal ordinances.
11. The Probationer shall not be away from his/her place of residence at late or unusual hours of the night, such hours to be determined by the Probation Officer, who will also give permission for night employment if necessary.
12. The Probationer shall be liable for all costs imposed by the Court in connection with this cause.

13. The Probationer shall work diligently at a lawful occupation and support his/her dependents, if any, to the best of his/her ability.
14. The Probationer is required to pay a fee of Thirty-five (\$35.00) dollars per month unless waived by the appropriate authorities in accordance with the provisions of T.C.A. § 40-35-313 et seq. This fee is to be divided accordingly between the Supervision and Rehabilitation Fund and the Criminal Injuries Compensation Fund.
15. The Probationer shall pay Restitution in the amount of \$ _____, with the method of payment being _____
16. The Probationer shall be required to observe any special conditions imposed by the Court as listed below or attached in the probation requirement check list:
- _____
- _____
- _____

VIOLATION OF ANY TERMS OF PROBATION MAY BE SUFFICIENT CAUSE FOR THE PROBATIONER TO BE APPREHENDED AND BROUGHT BEFORE THE COURT ON A HEARING FOR REVOCATION.

Defendant is ORDERED to return to Court at 9:00 a.m. on the Expiration date of this diversionary period, which is _____.

Done and Ordered in Open Court this ____ day of _____, 20 ____

JUDGE

I have read, or have had read to me, the Diversion Order and the conditions of my Diversion. I fully understand them and agree to comply with such conditions during the period of my Diversion. Further, I hereby waive all extradition rights and process and agree to return to Tennessee at any time prior to my discharge from Diversion upon the direction of the Trial Judge.

I, FURTHER UNDERSTAND, it is my responsibility to report to the State Probation Office, 170 North Main, 10th Floor, Memphis, TN 38103 as soon as possible to be assigned a Probation Officer. I live at the address listed below, and I will not change address until the Probation Officer grants me permission to do so.

Witness

Probationer's Signature

Filed: _____
William R. Key, Clerk

By: _____ D.C.

County of Residence

Telephone No.